



General Assembly

Distr.: General
16 October 2003

Original: English

Fifty-eighth session
Agenda item 110
Advancement of women

Letter dated 14 October 2003 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

I have the honour to refer to the Afro-Arab Conference that was held in Cairo from 21 to 23 June 2003 for the Afro-Arab Expert Consultation on Legal Tools for the Prevention of Female Genital Mutilation.

It is my pleasure to submit herewith the Declaration and the report of the Conference (see annex) and to request that they be circulated as a document of the General Assembly, under agenda item 110.

(Signed) Ahmed **Aboul Gheit**
Ambassador
Permanent Representative



Annex to the letter dated 14 October 2003 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

Afro-Arab Expert Consultation on Legal Tools for the Prevention of Female Genital Mutilation

Cairo, 23 June 2003

WE, the representatives of twenty-eight African and Arab countries affected by the practice of Female Genital Mutilation, of international and non-governmental organisations, and experts on FGM, meeting in Cairo from the 21st to the 23rd of June 2003 for the Afro-Arab Expert Consultation on "Legal Tools for the Prevention of Female Genital Mutilation" on the invitation of AIDOS - Italian Association for Women in Development, No Peace Without Justice, the Egyptian National Council for Childhood and Motherhood, and the Egyptian Society for the Prevention of Harmful Practices to Woman and Child, under the Auspices of H.E. Mrs Suzanne Mubarak, First Lady of Egypt, organized within the framework of the "STOP FGM Campaign" supported by the European Commission;

Emphasising that all countries affected by the practice of FGM have been represented at the Expert Consultation, making it a unique opportunity for dialogue, exchange of information and points of view concerning the best means and the most appropriate legislative instruments for the prevention and the progressive abandonment of FGM worldwide,

Recognising and saluting the commitment and determination of H.E. Mrs Suzanne Mubarak, First Lady of Egypt, as well as her keynote speech delivered at the opening session of the Expert Consultation and her specific contribution to the success of this Afro-Arab meeting,

Emphasising in particular the statements of the highest religious authorities in Egypt, H.E. Sheykh Mohammed Sayed Tantawy, Grand Sheykh of Al-Azhar, and the representative of H.E. Pope Shenouda III, Patriarch of Alexandria and of the See of St. Mark, who reaffirmed that no religious precept either in Islam or Christianity justifies the practice of FGM,

Thanking the organisers for taking the initiative to convene this Expert Consultation in Cairo and expressing appreciation in particular to the Egyptian National Council for Childhood and Motherhood and the Egyptian Society for the Prevention of Harmful Practices to Woman and Child for the warm welcome received in Egypt and to ensure the best working conditions for the meeting,

Thanking the sponsors and other contributors for providing the resources for this Expert Consultation and its follow-up,

Taking note of the results obtained by the working groups, the quality of the contributions by the speakers and all the participants, and the most valuable technical contribution by CRR - Centre for Reproductive Rights and RAINBO - Research, Action and Information for the Bodily Integrity of Women, which have made the successful outcome of the Consultation possible,

Taking note of and supporting the international "STOP FGM" Appeal, launched on the 10th of December 2002, as well as the Declaration on "Zero Tolerance for FGM" issued by the IAC - Inter-African Committee on the 6th of February 2003, and signed by African First Ladies and a number of other international personalities;

Cairo Declaration on Legal Tools to Prevent Female Genital Mutilation

WE, the participants in the Afro-Arab Expert Consultation on "Legal Tools for the Prevention of Female Genital Mutilation"

Call upon governments to promote, protect and ensure the human rights of women and children in accordance with the obligations undertaken by them as states parties or signatories to:

- the African Charter on the Rights and Welfare of the Child,
- the African Charter on Human and People's Rights;
- the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
- the Convention on the Rights of the Child;
- the Cairo Programme of Action agreed to at the International Conference on Population and Development, and
- the Beijing Declaration and Platform for Action agreed to at the Fourth World Conference on Women.

Believe that the prevention and the abandonment of FGM can be achieved only through a comprehensive approach promoting behaviour change, and using legislative measures as a pivotal tool;

Launch the Cairo Declaration, appealing to Heads of State, governments, parliaments and responsible authorities in concerned countries, as well as international organisations and non-governmental organisations, to endorse the following recommendations in their legislation, social and health policies, aid programmes, bilateral and multilateral cooperation initiatives.

WE, the participants in the Afro-Arab Expert Consultation on "Legal Tools for the Prevention of Female Genital Mutilation"

Recommend that:

1. Governments, in consultation with civil society, should adopt specific legislation addressing FGM in order to affirm their commitment to stopping the practice and to ensure women's and girl's human rights. Where politically feasible, a prohibition on FGM should be integrated into broader legislation addressing other issues, such as:
 - gender equality;
 - protection from all forms of violence against women and children;
 - women's reproductive health and rights; and
 - children's rights
2. The use of law should be one component of a multi-disciplinary approach to stopping the practice of FGM. Depending on the national context, outreach efforts by civil society and governments aimed at changing perceptions and attitudes regarding FGM should precede or accompany legislation on FGM. These activities should reach as many members of the public as possible and should include the participation of both elected officials and other government actors and members of civil society, including advocates, religious leaders, traditional leaders, medical providers, teachers, youth, social workers, and the all forms of

media including electronic media. In particular, men must be targets of outreach, as well as family members, including grandmothers, mothers-in-law, etc. Means of outreach should take as many forms as available in each country, including community gatherings, media (radio, theatre) and other creative means of communication.

3. The work of NGOs is at the heart of social change. NGOs and government should work together to support an ongoing process of social change leading to the adoption of legislation against FGM. A long-term, multi-strategy approach shaping attitudes and perceptions about women's status and human rights should lead in the long-run to the criminalization of FGM. Governments and international donors should provide financial resources to empower national NGOs in their struggle to stop FGM. In addition, governments must ensure that national NGOs are able to pursue their activities freely.
4. The legal definition of FGM, which should encompass all forms of FGM, should be formulated by national legislatures on the basis of the World Health Organization definition and in consultation with civil society, including the medical community. However, depending on the national context, it may be desirable to provide for a period of sensitization to precede enforcement of the prohibition as it applies to parents and family members.
5. Governments should formulate time-bound objectives, strategies, plans of action, and programmes, backed by adequate national resources, whereby FGM laws will be enforced, taking into account that legislation condemning FGM has a moral force and an educational impact that could dissuade many individuals from submitting girls to the practice.
6. If existing criminal sanctions are enforced in the absence of specific legislation on FGM, governments should work with civil society to undertake a major information campaign to ensure that all members of society, particularly those who practice FGM, are aware that the existing law will be enforced.
7. In adopting a law, religious leaders, civil society organizations, including women's and community-based organizations, and health care providers, among others, should be part of the consultative process. Efforts to end FGM must be focused on empowering women to make choices impacting their health and lives.
8. Religious leaders should be sensitized to the negative impact of FGM on women's reproductive and sexual health. Religious leaders who support ending FGM should be incorporated into outreach strategies.
9. Once legislation prohibiting FGM has been adopted, whoever performs FGM, including health professionals and traditional circumcisers, should be put on immediate notice that performing FGM gives rise to legal and professional sanctions.
10. Licensed medical practitioners should be subject to the maximum available criminal penalties. Professional associations should adopt clear standards condemning the practice of FGM and apply strict sanctions to practitioners who violate those standards. Practitioners may be suspended or lose their licenses to practice. In addition, they should face civil liability for malpractice or unauthorized practice of medicine. Appropriate ethical guidelines against FGM should be incorporated into medical education and training curricula.
11. Provided sufficient outreach and sensitization has taken place, members of the community with knowledge of cases of FGM should be held criminally liable for failure to report such cases. Special measures are needed to protect those who come forward to report a case.

Governments should consider alternative methods of monitoring prevalence and effects of FGM, for example, through gathering statistics from health care centers. Law enforcement officials should be trained to respond to cases of FGM (including cases that may still be prevented) in a manner that meets the needs of girls and women affected by the practice.

12. Women and girls should be empowered to access legal remedies specified by law to prevent FGM. In particular, women and girls who are victims or potential victims of FGM have the right to bring a civil action to seek compensation from practitioners or to protect themselves from undergoing FGM. Resources, such as information on legal rights, legal assistance, and social services and support for girls who may face negative repercussions from their families and communities, should be provided to women and girls. Medical professionals should assist by providing evidence supporting the claim of the girl or woman who has undergone FGM. The deterrent effect on practitioners of possible civil actions against them involving monetary damages may be significant.
13. The age of a girl or woman or her consent to undergoing FGM should not, under any conditions, affect the criminality of the act.
14. During periods of armed conflict, both governments and international donors must sustain activities aimed at ending the practice of FGM and other forms of discrimination against women and girls.
15. As agreed at the International Conference on Population and Development in Cairo in 1994 and the Fourth World Conference on Women in Beijing in 1995, as well as their subsequent reviews, governments should ensure all women access to the full range of reproductive and sexual health services and information. In addition, reproductive and sexual health information and education, including information on the harmful effects of FGM, should be incorporated, where appropriate, into school curricula and other community education programs. Women who have undergone FGM should have access to the information and special health care they need.
16. In countries where minorities, including migrants, are vulnerable, the adoption of laws against FGM should not be used by governments to undermine the full enjoyment of human rights by these minorities. In such contexts, it is particularly important that criminal legislation be part of a broader strategy to provide resources to support community needs and to promote the health and human rights of community members. Members of minority communities, particularly activists working to stop the practice, should be consulted and their views taken into account prior to adoption and enforcement of the law. In some cases, it may be appropriate for legislation targeting FGM to make reference to constitutional protections of minority rights.
17. Governments should implement the regional and international conventions that they have ratified protecting the rights of women and children, and comply with their obligations to take action to end practices that harm women and girls, including by adopting legislation prohibiting FGM. Implementation measures should include translation of these texts into national languages and outreach programs to ensure broad knowledge of the rights protected. Civil society could promote government accountability under these treaties by using UN treaty monitoring bodies. NGOs can use treaty bodies' Concluding Observations and Recommendations to push for additional government actions. For example, legal mechanisms to intervene on behalf of children who may be subject to FGM may currently be inadequate but could be developed.

**WE, the participants in the Afro-Arab Expert Consultation
on "Legal Tools for the Prevention of Female Genital Mutilation"**

Further recommend that:

The Cairo Declaration will be officially presented to the Secretary-General of the United Nations and the presidents of the African Union and the European Union, as well as the Secretary-General of the League of Arab States and the Organisation of Islamic Countries;

Finally,

We agree to hold a follow-up meeting to be convened on the African continent in a year's time, to review progress achieved towards the implementation of the Cairo Declaration.

Report of the Afro-Arab Expert Consultation on Legal Tools for the Prevention of Female Genital Mutilation

Cairo, 21-23 June 2003

Background

The Afro- Arab Expert Consultation Conference on Legal Tools for the Prevention of Female Genital Mutilation was held under the Patronage and Chairmanship of the First Lady Her Excellency Mrs. Suzanne Mubarak, Chair of the Technical Advisory Committee of the National Council for Childhood and Motherhood during the period from 21-23 June 2003 in collaboration with the European Parliament, the Italian NGOs AIDOS and No Peace Without Justice and the Egyptian Society for Prevention of Harmful Practices. Twenty eight Arab and African Countries sharing the practice of FGM participated. The conference discussed the importance of establishing legal tools for supporting the civil society in combating this harmful practice, yet in accordance to the traditions and culture of the participating countries. Egypt hosting of the conference and the First Lady's attendance indicated Egypt's political commitment toward eliminating FGM as a harmful practice against the girl child.

Opening Session

H.E. Mrs. Suzanne Mubarak, First Lady of Egypt in her inaugural speech emphasized the efforts exerted by the Government of Egypt in partnership and in close collaboration with Non-Governmental Organizations, local communities, and international bodies working in fields related to women and child issues. She stressed the fact, that Egypt, in its firm belief that children and women's rights represent the cornerstone for the development of any society rights, was one of the first countries that signed the Convention of Children Rights in December 1989, and in 2003 she has announced year 2003 as the "Year of the Girl Child".

Her Excellency expressed her appreciation toward all the efforts exerted at community, national and international levels for combating FGM, thus breaking the silence on one of the issues that directly threatens the well-being of the girl child. She added that Egypt has adopted a number of strategies to eradicate this practice: advocacy networking at the community level, facilitating credible and scientific information on basis of the practice, and mobilization of the national and local communication channels

The highest ranking religious personalities in Egypt were present. The Grand Imam Sheikh Mohamed Sayed Tantawi, Sheikh of Al-Azhar, and Bishop Moussa, the Head of the Bishopric of Youth and Representative of Pope Shenouda III, Pope of Alexandria and Patriarch of the Coptic Cathedral presented the Islamic and Christian point of view on FGM. They indicated that FGM had no religious foundation whether in the Quran or in the Bible. It is therefore a social tradition not related to any religious scripture especially that all holy books stress the importance of the rights of children and women, and no religion supports the mutilation of the human soul.

The Minister of Social Action and National Solidarity of the State of Burkina Faso, H. E. Minister Mariam Lamizana presented her country's experience in combating FGM. She stressed the importance of this conference as offering a great opportunity to present the different approaches for combating FGM adopted by the countries that suffer from this harmful practice.

Within the context of discussing a core issue that touches on the rights of the child, Mr. Jaap Doek, Chair of the United Nations Committee on the Rights of the Child indicated the importance of this conference as it reflects the international commitment toward child issues and FGM being a practice that breaks the girl child's innocence and pride. Then Ms. Emma Bonino, European Parliament Member presented her experience in Africa of the different programs for combating FGM. She also indicated that FGM as a practice has spread to several European countries through migration. Ms. Bonino expressed her appreciation for the role that Egypt was playing on the local, national and international scene for eradicating FGM and the First Lady's participation was a strong indication of Egypt's political commitment at the highest level, toward children and women rights.

Programs and Interventions for Eradicating FGM

H. E. Ambassador Moushira Khattab, Secretary General of the National Council for Childhood and Motherhood (NCCM) presented the FGM Programs adopted by the Council. The FGM Free Village Model Project executed in cooperation with the Development Assistance Group and the United Nations Development Program in 60 villages of Upper Egypt Governorates (Beni Suef, Minia, Assiut, Sohag, Qena, and Aswan). This project is implemented in partnership with 12 Egyptian Focal NGOs working in these respective governorates with the objective of creating and establishing advocacy networks on the community levels to eradicate FGM. The project also aims at creating central networks under the umbrella of the NCCM through the policy resource group which consists of all government stakeholders mainly the concerned ministries. Furthermore, the communication resource group brings together the key resource persons to establish the main findings of the issue and determine ideal communication channels for discussing this deeply embedded tradition that threatens the well-being of the girl child. The mandate of this project is to build on all previous efforts exerted by both government and civil society and yet more brings all efforts under the highest governmental body entrusted for ensuring child and mother rights.

The NCCM was also implementing a program for FGM in collaboration with the UNICEF that addresses opinion leaders and revives their concern with FGM in order to make them advocates on the issue. Such leaders are considered a strong and effective channel that influences the intellect and cultural being of the public. Among these opinion leaders are religious leaders, script writers and renown journalists etc.

Ms. Daniella Colombo, AIDOS President presented the guidelines of the International Campaign "Stop FGM". Ms. Colombo stressed the importance of establishing legal tools for effectuating further the immense efforts of the civil society.

Ms. Aziza Hussein, Chair of the Egyptian Society for Prevention of Harmful Practices (ESPHP) presented her 20 year experience toward eliminating FGM. This experience

included the Socio-Cultural Approach, Medical Approach, and Religious one. The ESPHP is one of the first NGOs that produced extensively information education and communication materials to the different target groups including educated and illiterate groups.

Prof. Hamdi El-Sayed, Head of Egyptian Medical Syndicate stand was strongly opposed the idea of medicalizing FGM since it was not a practice taught in the School of Medicine and violates bio-ethics. There was no mandate in the world that approves the physical cutting of human organs without clear medical indications. The practice of FGM which removes a vital organ of the girl child, deprives her from her natural rights as a woman, and causes psychological trauma.

Conference Participation

Twenty Eight African and Arab countries that share the practice of FGM and a number of European Countries including Italy, France and Germany, in addition to Egyptian and international NGOs concerned with FGM and a number of international organizations including UNDP, UNICEF, UNFPA, WHO, USAID, European Commission, RAINBO, as well as African and Arab Embassies in Egypt countries participated in the conference. The media coverage for the conference included the local press representatives, TV and Radio channels in addition to a large number of representatives from the international press, TV and radio agencies.

Egyptian participation in the conference included local community, governmental and non-governmental levels. Ministers from concerned ministries and governors of the Upper Egypt governorates involved in the FGM Free Village Model Project attended. Participants included religious leaders, People's Assembly members, NGO representatives, in addition to participation from the Egyptian Justice Service including the Supreme Court. Professors from the faculties of medicine, mass communication, law and research centers also participated in the conference.

Media Coverage

All media channels (TV, Radio and Press) covered extensively the conference events. The National Egyptian Channel 2 and Nile TV diffused live the opening session. Foreign, Arab and European TV, Radio and Press indicated the importance of the conference as a great international step toward eradicating FGM.

The extensive media coverage placed FGM as a priority on the media agenda, created awareness on a vital issue related to the rights of the child, and revived the FGM dialogue locally, nationally and internationally.

Press conferences attended by local and international media were held before and after the consultation of experts to mobilizing public opinion toward advocating the drawbacks of FGM as a practice that threatens the well-being of the girl child.

Working Groups

Participants were divided into two working groups as follows:

Group 1. Discussed the legal tools adopted for changing social behavior. The group was chaired by H. E. Minister Linah Gebei from Kenya. The working group members felt that legal tools alone would not eradicate FGM since it was a traditional practice

that held many cultural connotations related to the chastity of women. Consequently, legal tools should go in parallel with the efforts of the civil society that targets behavioral and attitudes changes towards the practice.

Group II: Discussed the technical elements of the laws on FGM and was chaired by Prof. Saeed El-Dakak, Professor of Criminal Law and Vice President of Alexandria University. The second group examined the different approaches for implementing laws, and some group members presented their Afro-Arab experiences on issuing laws to eliminate the FGM practice. A number of young Egyptian judges participated in this group and stressed the importance of providing support to laws combating FGM through launching media campaigns and awareness programs, because laws alone could not change beliefs and public attitudes especially on a sensitive social subject like FGM.

Main Guidelines of the Cairo Declaration

- Incorporating all laws that condemn FGM under the laws that addresses child and women's political, economic and reproductive rights.
- Utilizing legal tools within the context of a multi-disciplinary mandate that is supported by NGOs and civil society.
- Discussing the legal tools adopted by the respective national legal bodies of the participating countries in consultation with the World Health Organization and civil society.
- Establishing the relevant policies and strategies that support the implementation of laws.
- Raising the awareness of religious leaders to enhance them further in advocating the harms of FGM.
- Imposing penalties on community members that cover up for the practice and recording the cases in order to determine accurately the magnitude of the practice.
- Raising awareness of women and young girls on their legal rights thus empowering them to defend themselves against family and social pressure.
- Calling upon governments and international organizations to be committed to eradicate FGM and to mobilizing the required resources
- Calling upon governments to abide and implement all international protocols that preserve women and child rights.

The Cairo Declaration holds a number of valuable and strong recommendations that shall be submitted to the United Nations, the African Union, the European Union and the League for Arab States.

NCCM Follow up on the Cairo Declaration

The NCCM has started the process of establishing a National Committee for FGM Legislation. The Committee members will consist of judges, parliament members, NGO representatives, religious and medical figures that condemn the practice and consider FGM a violation of children's rights. These stakeholders shall examine and amend legal texts that condemn the practice and finally elaborate the laws that shall enable Egypt to overcome this harmful practice, thus protecting girls from the painful consequences of FGM





General Assembly

Distr.: General
16 October 2003

Original: English

Fifty-eighth session

Agenda item 108

Crime prevention and criminal justice

**Letter dated 14 October 2003 from the Permanent Representative
of Egypt to the United Nations addressed to the Secretary-General**

I have the honour to refer to the Conference that was held in Cairo from 2 to 4 September 2003 for the Ministers of Justice of the francophone countries of Africa. The conference was convened primarily to help in promoting the ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto. The Ministers of Justice and the delegations that attended the conference agreed on a declaration and a report for the conference and the consensus of the group was that the President of the Conference should submit the Cairo Declaration and the report to the General Assembly at its fifty-eighth session.

It is my pleasure to submit herewith copies of the Cairo Declaration and the report of the Conference (see annex) and to request that they be circulated as a document of the General Assembly, under agenda item 108.

(Signed) Ahmed Aboul Gheit
Ambassador
Permanent Representative



Annex to the letter dated 14 October 2003 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

[Original: French]

Regional Ministerial Conference of French-speaking Countries of Africa for the promotion of ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Cairo, 2-4 September 2003

Cairo Declaration

On 4 September 2003,

We, the Ministers of Justice and appointed delegations of Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Egypt, Gabon, Guinea, Guinea-Bissau, Mauritania, Mauritius, Morocco, Niger, Rwanda, Sao Tome and Principe, Senegal and Togo,

In the presence of the following specialized agencies and bodies of the United Nations system: the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Refugees and the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, and of the following regional and international organizations: the Agence intergouvernementale de la francophonie and the League of Arab States,

Participating in the Regional Ministerial Conference of French-speaking Countries of Africa for the promotion of ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, held in Cairo from 2 to 4 September 2003,

Noting the support of the following specialized agencies and bodies of the United Nations system: the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Refugees and the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, and of the following regional and international organizations: the Agence intergouvernementale de la francophonie and the League of Arab States,

Deeply disturbed by rising transnational organized crime, which threatens the economic prosperity, the political and social stability and the security of States,

Noting with profound misgivings the growing links between transnational organized crime and terrorist crimes,

Concerned also over the scope and gravity of the phenomenon of terrorism and the threat which it poses to the stability and security of States and to international peace,

Convinced of the urgent need to combat organized crime and terrorism in all their forms and manifestations and to strengthen international cooperation and technical assistance to that end,

Recalling United Nations General Assembly resolutions 55/25 of 15 November 2000 and 55/255 of 31 May 2001, in which the Assembly adopted the United Nations Convention against Transnational Organized Crime and the three Protocols thereto, which constitute effective instruments of international cooperation in the struggle against transnational organized crime,

Taking note of General Assembly resolution 57/168 of 18 December 2002, which further encouraged Member States to make sufficient voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund for the provision of technical assistance to developing countries and countries with economies in transition for the implementation of those international legal instruments, and requested the Secretary-General to continue to provide the Centre with the resources necessary to enable it to promote, in an effective manner, the entry into force and implementation of the Convention and the Protocols thereto,

Taking note also of the treaty event on the theme "United Nations treaties against organized crime and terrorism" to be held from 23 to 26 September 2003 at United Nations Headquarters during the general debate of the fifty-eighth session of the General Assembly, its aim being to emphasize the importance of all the treaties against transnational organized crime and terrorism adopted by the international community, with a view to further reinforcing international cooperation in the fight against those evils,

1. Express our sincere gratitude to the Egyptian Government, and particularly to the Ministry of Justice, for having hosted and supported the Regional Ministerial Conference held in Cairo from 2 to 4 September 2003, and to the United Nations Office on Drugs and Crime and the Agence intergouvernementale de la francophonie, which jointly organized it;
2. Congratulate the French-speaking countries of Africa which signed the United Nations Convention against Transnational Organized Crime and the Protocols thereto, as well as the universal conventions and protocols relating to terrorism;
3. Recommend that the French-speaking countries of Africa which are not yet party to the Convention and its Protocols accede to it as soon as possible;
4. Warmly congratulate the French-speaking countries of Africa which have already ratified the United Nations Convention against Transnational Organized Crime and its Protocols, as well as the universal conventions and protocols relating to terrorism, especially the United Nations conventions deposited with the Secretary-General of the Organization;
5. Urge the other French-speaking countries of Africa which have already signed the Convention and the Protocols thereto to make every effort to meet the conditions required by their domestic law with the view to ensuring the speedy ratification of those instruments;
6. Recommend that the French-speaking countries of Africa play an active role in the treaty event to be held from 23 to 26 September 2003 at United Nations Headquarters;
7. Encourage the French-speaking countries which have not yet done so to become party as soon as possible to the universal conventions and protocols relating to terrorism, and above all the four conventions deposited with the United Nations

Secretary-General, especially during the treaty event to be held from 23 to 26 September 2003 at United Nations Headquarters;

8. Reaffirm our commitment to strengthening bilateral and multilateral cooperation and to taking other initiatives to that end, in coordination with the United Nations Office on Drugs and Crime and with its assistance and that of other partners, including the Agence intergouvernementale de la francophonie and the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders;

9. Affirm the need to review, improve and harmonize domestic laws relating to the fight against transnational organized crime and against terrorism, in order to bring them into line with the Convention and the Protocols thereto, as well as with the universal conventions and protocols relating to terrorism;

10. Underscore the importance of the principle of due process and respect for human rights in criminal proceedings brought against transnational organized crime and terrorism;

11. Request the United Nations Office on Drugs and Crime, in cooperation with the Agence intergouvernementale de la francophonie and the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, to prepare and disseminate widely a practical manual for the use of judges, police officers and other public officials in the implementation of the United Nations conventions against transnational organized crime and terrorism;

12. Request the United Nations Office on Drugs and Crime and the Agence intergouvernementale de la francophonie to set up a support mechanism for the implementation by States of the United Nations conventions against transnational organized crime and terrorism;

13. Launch an appeal to the donor countries and to international and regional organizations to render technical, financial and material assistance with a view to supporting the efforts of the French-speaking countries of Africa in the ratification of or accession to the Convention against Transnational Organized Crime and the Protocols thereto and the four United Nations conventions against terrorism, and in the implementation of those instruments, especially by making substantial and regular voluntary contributions to the special account of the United Nations Crime Prevention and Criminal Justice Fund, in accordance with article 30 of the Convention;

14. Request that priority attention be given to activities for the exchange of expertise and for technical assistance that is of the most varied kind and best adapted to the needs of countries, such as awareness-raising seminars, harmonization workshops, practical implementation manuals, training of practitioners and methodological assistance in the drafting of national reports to the appropriate United Nations bodies;

15. Undertake to assess periodically the progress achieved in the ratification of or accession to those instruments, and in their speedy implementation, by providing relevant information to the United Nations Office on Drugs and Crime and the Agence intergouvernementale de la francophonie;

16. Invite the President of the Conference to bring the present Declaration to the attention of the General Assembly at its fifty-eighth session.

Regional Ministerial Conference of French-speaking countries of Africa for the promotion of ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Cairo, 2-4 September 2003

Report

I. Introduction

1. The Regional Ministerial Conference of French-speaking countries of Africa for the promotion of ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto was held in Cairo from 2 to 4 September 2003. It was organized jointly by the Egyptian Government, the Agence intergouvernementale de la francophonie and the United Nations Office on Drugs and Crime pursuant to General Assembly resolutions 55/25 of 15 November 2000 and 55/255 of 31 May 2001. The Conference was held in the context of activities undertaken by the United Nations Office on Drugs and Crime and the Agence intergouvernementale de la francophonie aimed at promotion of the rapid implementation of the Convention and the Protocols thereto and of the universal instruments against terrorism.

II. Organization of the Conference

A. Opening of the Conference

2. The Conference was opened by His Excellency Mr. Farouk Seif El Nasr, Minister of Justice of the Arab Republic of Egypt.

3. In his opening address, the Minister welcomed the delegations and thanked the Agence intergouvernementale de la francophonie and the United Nations Office on Drugs and Crime for selecting Egypt to host that important event, which was a reflection of the active judicial cooperation among French-speaking States. After recalling the origins of the Palermo Convention, he underscored the significance of the Conference in the light of preparations for the treaty event, to take place a few days prior to the entry into force of the United Nations Convention against Transnational Organized Crime on 29 September 2003, and recalled its close links to the fight against terrorism. He stressed that those scourges constituted threats to economic and social development and affected international security and, especially, human rights. He reaffirmed that the international community must make the fight against those scourges one of its highest priorities. In closing, he expressed his deep conviction that the Conference would meet with success and provide the international community with new mechanisms which would prepare the way towards a world of greater security, stability and prosperity.

4. The representative of the United Nations Office on Drugs and Crime and the director for juridical and judicial cooperation of the Agence intergouvernementale de la francophonie each thanked the Government of Egypt for its hospitality. They underscored the strengthening of links between their two organizations for the purpose of achieving shared objectives, particularly support for consolidation of the

rule of law and the promotion of human rights. They emphasized the importance of the Conference with regard to efforts undertaken for the ratification of the Convention against Transnational Organized Crime and the Protocols thereto. They also acknowledged the positive effect on international juridical and judicial cooperation of the French-speaking States' commitment to ratify and implement the Convention and the Protocols thereto.

B. Participation

5. The Ministers and delegations representing the following French-speaking States of Africa participated in the Conference: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Egypt, Gabon, Guinea, Guinea-Bissau, Mauritania, Mauritius, Morocco, Niger, Rwanda, Sao Tome and Principe, Senegal and Togo.

C. Election of the Bureau and adoption of the agenda

6. The Bureau of the Conference was elected by the meeting as a whole and was composed of the following:

President:

His Excellency Mr. Farouk Seif El Nasr, Minister of Justice of Egypt

Vice-Presidents:

His Excellency Mr. Maty Elahadji Moussa, Minister of Justice of Niger
His Excellency Mr. Bakary Diabira, Minister of Justice of Mauritania
His Excellency Mr. Emmanuel Jean Leung Shing, Minister of Justice of Mauritius

Rapporteur:

His Excellency, Mr. Mouchili Ismaila, Ambassador of Cameroon to Egypt

7. The participants then adopted the agenda and organization of work.

III. Proceedings of the Conference

8. Technical presentations were made on the various items of the agenda, following which the participants exchanged views on their experience and expectations.

A. The United Nations Convention against Transnational Organized Crime and the Protocols thereto: Measures to be adopted at the national level with a view to ratification: Needs, difficulties and progress

9. The representative of the United Nations Office on Drugs and Crime made a detailed presentation on the main provisions of the Convention and its three Protocols relating to trafficking in persons, the smuggling of migrants and the illicit manufacturing of and trafficking in firearms.

10. The presentation was followed by two reports. The first described the proceedings and conclusions of the subregional ministerial seminar to support ratification of the Convention and its Protocols held at Ouagadougou from 28 to 30 November 2001. The Ouagadougou Declaration called on States which had not yet done so to sign the Convention and its Protocols and to take the necessary steps with

a view to ratification. The second report described the experience of Mauritius in incorporating the Convention into its domestic law.

11. A wide-ranging discussion followed, dealing with conditions for ratification of those instruments and measures under way or yet to be adopted for their integration into the domestic legislation of the participating countries. The discussion led to a consensus on the need to obtain technical, material and financial assistance throughout the process, from ratification to domestic implementation.

12. Delegations also had an opportunity to describe action already taken by their Governments with a view to adapting their legislation and juridical systems to the provisions of the Convention and to describe their experience in the fight against organized crime.

B. Technical cooperation for the ratification and implementation of the Convention and its Protocols

13. The representative of the United Nations Office on Drugs and Crime described to delegations the various types of technical assistance the Office could provide States to support and accompany the process of ratification and implementation of the Convention and its Protocols.

14. During the discussion, participants underscored the specific situation of Africa from the historical perspective, in particular the conflict situations and civil wars which had devastated the continent and had led to an inordinate increase in organized criminal activity. In the light of those particular circumstances, participants requested that technical cooperation should be proportional to their needs.

15. The useful exchange of views which followed helped delegations better understand the nature and methodology of technical assistance.

16. As a result, participants proposed the establishment of a support mechanism for the implementation by States of the United Nations conventions against transnational organized crime and terrorism, as well as the development of a practical manual for the use of judges, police officers and other public officials when implementing those conventions.

C. United Nations instruments against terrorism and the draft United Nations Convention against Corruption

17. The representative of the Office explained the provisions of the United Nations instruments against terrorism. He then reported to the Conference on the latest developments with regard to the draft United Nations Convention against Corruption.

18. In the fight against terrorism, the international community currently had 12 universal instruments, four of which had been singled out for the treaty event of 2003 to be held during the general debate of the fifty-eighth session of the United Nations General Assembly. They comprised the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons including Diplomatic Agents (New York, 1973), the International Convention against the Taking of Hostages (New York, 1979), the International Convention for the Suppression of Terrorist Bombings (New York, 1997) and the International

Convention for the Suppression of the Financing of Terrorism (New York, 1999). He stressed that it was not sufficient to criminalize such acts; it was also crucial to establish and strengthen effective international cooperation against crime.

19. He explained that the purpose of the United Nations Convention against Corruption was to promote and strengthen measures aimed at preventing and fighting corruption, facilitating and supporting international cooperation (including the return of the proceeds of corruption) and promoting the principles of integrity, responsibility and sound management of public affairs.

20. He reported to participants on the result of the sixth session of the Ad Hoc Committee for the Negotiation of a Convention against Corruption and stressed that the Committee had agreed on all the important articles, in particular those relating to definitions of offences such as corruption of a public official and misappropriation of funds, measures to prevent money-laundering, international cooperation including provisions relating to confiscation and seizure, return of assets and monitoring mechanisms. Only the final provisions remained to be negotiated.

D. Visits to the Egyptian high-level authorities

21. Conference participants were invited to an audience with the Prime Minister. He reiterated Egypt's commitment to the fight against transnational organized crime and called for increased cooperation among French-speaking States in that regard. He also underscored the various initiatives undertaken in that area and the fundamental role played by the international community in the fight against that evil. In conclusion the Prime Minister urged the Conference to adopt concrete and effective conclusions.

22. Participants were also invited to an audience with the Speaker of the People's Assembly. He welcomed them and highlighted the importance of the Conference, whose purpose was to promote the Convention and its Protocols as well as the universal instruments against terrorism. He also recalled the importance, in the context of international cooperation, of support for the rule of law and the promotion of human rights. He highlighted the special role played by the Assembly, as a legislative body, for the incorporation of the conventions into Egyptian domestic law. He then emphasized the need to increase cooperation among the various countries which shared the French language, with a view to serving as examples of cooperation for the other countries of the international community.

IV. Cairo Declaration

23. At the conclusion of their work, the Ministers and members of the delegations adopted the Cairo Declaration.
